

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 22, 1995

SUBJECT: **SB 1377 - HB 796**

This bill, if enacted, will enhance current law on driving under the influence so that a blood alcohol content of .06% creates a presumption of intoxication for any person with two previous DUI convictions. Current law requires a BAC of .08% for any person with at least one previous conviction.

The fiscal impact from enactment of this bill on state government revenues from increased license reinstatement fees cannot be reasonably determined but is estimated not to be significant.

The fiscal impact from enactment of this bill is estimated to result in an increase of local government expenditures of \$107,640 from increased incarceration and increased local government revenues of \$25,300 from fines levied and collected, for a net effect of increased expenditures of \$82,340.

The minimum penalty for third and subsequent DUI convictions is 120 days in jail and a \$1,100 fine. During Fiscal Year 1993-94 there were 2,300 third time convictions according to the Department of Safety.

Assuming a minimum one percent increase in third time DUI

convictions:

	<u>Number of New Cases</u>	<u>Jail Cost @ \$39 Day</u>	<u>Fines @ \$1,100 Minimum</u>
New Convictions	23	\$107,640	\$25,300

This is to duly certify that the information contained herein is true
and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director